

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States of America)
 v.)
)
 ARTURO TEJEDA-GOMEZ (1))
 ANDRES GUTIERREZ (2))
)
)
)

Defendant(s)

Jan 15, 2021

SEAN F. McAVOY, CLERK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 19, 2020 in the county of Franklin in the
Eastern District of Washington, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC §§ 841(a), (b)(1)(B)(vi) & 846	Conspiracy to Distribute 40 Grams or more of Fentanyl

This criminal complaint is based on these facts:

Continued on the attached sheet.

Jerel R. Deitering
Complainant's signature

Jerel Deitering, Special Agent, DEA

Printed name and title

- Sworn to telephonically and signed electronically
 Sworn to before me and signed in my presence.

Date: 01/15/2021

M. K. Dimke


Judge's signature

City and state: Yakima, Washington

MARY K. DIMKE, U.S. Magistrate Judge

Printed name and title

AUSA: BDS

COUNTY: FRANKLIN

COMPLAINT AFFIDAVIT

Controlled Purchase of 400 fentanyl pills from Arturo TEJEDA-Gomez on November 5, 2020, at a location in Pasco, Washington.

1. On November 5, 2020, DEA used a confidential source (“CS”) to purchase 400 fentanyl pills from Arturo TEJEDA-Gomez.
2. Prior to the deal, the CS made multiple recorded text messages and phone calls with Arturo TEJEDA-Gomez, during which Arturo TEJEDA-Gomez agreed to sell 400 pills to the CS for the pre-negotiated price of \$4,000.
3. On November 5, 2020 at approximately 5:30 PM, SA Deitering and TFO Slocombe met with the CS at a predetermined location. SA Deitering searched the CS and the CS’s vehicle for drugs, weapons and/or contraband with negative results. SA Deitering issued the CS \$4,000 for the purchase. SA Deitering also issued the CS audio and video recording devices.
4. At approximately 6:10 PM, the CS followed SA Deitering and TFO Slocombe to the buy-walk location. Moments later, TFA Pitts observed a black 2004 Chevrolet Tahoe arrive. TFA Pitts observed that a male had exited out of the Tahoe and entered the front passenger seat of the CS’s vehicle. The video recording shows the male to be Arturo TEJEDA-Gomez.

5. The video recording shows Arturo TEJEDA-Gomez pass an object to the CS. Directly after, the CS handed a bundle of currency to Arturo TEJEDA-Gomez.

6. At approximately 6:22 PM, TFA Pitts observed that Arturo TEJEDA-Gomez had exited the CS's vehicle and walked towards the black Chevrolet Tahoe and depart the area.

7. SA Deitering and TFO Slocombe maintained surveillance of the CS from the deal location to a predetermined area. The CS handed SA Deitering a package which was later marked as Drug Exhibit 2. Drug Exhibit 2 was later confirmed by the DEA laboratory to be 399 tablets containing fentanyl. Additionally, the laboratory confirmed a latent fingerprint from a clear plastic bag was identified to the known fingerprint card of Arturo TEJEDA-Gomez.

Controlled Purchase of 1,000 fentanyl pills (Exhibit 3) from Andres GUTIERREZ on November 19, 2020, in the Eastern District of Washington.

8. Following the purchase of Exhibit 2 and under direction of SA Deitering, the CS had been in recorded communications with Arturo TEJEDA-Gomez for the purchase of 1,000 pills containing fentanyl for \$10,250. Arturo TEJEDA-Gomez advised the CS that he would send a courier to do the deal on November 19, 2020.

9. The courier, a person named Andres GUTIERREZ, contacted the CS through Facebook messenger and advised the CS that he was working with "A.T."

(known to the CS and SA Deitering to be the alias of Arturo TEJEDA-Gomez).

Leading up to the buy-walk operation, Andres GUTIERREZ was in communication with the CS regarding details of the meet.

10. On November 19, 2020, SA Deitering and TFO Slocombe met with the CS at a predetermined location. SA Deitering, as witnessed by TFO Slocombe, searched the CS and the CS's vehicle. Both the CS and the CS's vehicle were found to be free of money, narcotics and contraband. SA Deitering provided the CS with \$10,250 for the purchase. The CS was also provided audio and video recording devices to capture the meet with Andres GUTIERREZ.

11. At approximately 2:19 PM, SA Deitering and TFO Slocombe led the CS to the buy-walk location, which was located within the Eastern District of Washington.

12. At approximately 2:40 PM, TFA Pitts observed that Andres GUTIERREZ had arrived in a 2007 Chevrolet Express G2500 commercial van. TFA Pitts observed and video recorded as Andres GUTIERREZ exited the van and entered the front passenger seat of the CS's vehicle. A recording device clearly captured the exchange of a brown paper bag, passed from Andres GUTIERREZ to the CS. Video also captured the CS paying Andres GUTIERREZ. After a brief conversation, Andres GUTIERREZ broke contact with the CS and exited the CS's vehicle.

13. The CS met with agents and provided SA Deitering with a brown paper bag containing Exhibit 3 and a small sample of what appeared to be heroin. Exhibit 3 was later confirmed by the DEA laboratory to be 1,032 tablets containing fentanyl. SA Deitering collected the recording devices, and checked the CS and the CS's vehicle which were found to be free of money, narcotics and contraband.

14. Surveillance units assigned to stay with Andres GUTIERREZ post-buy observed the following. At approximately 4:05 PM, Detective Chris Bennett observed that GUTIERREZ had parked at a location in Pasco.

15. At approximately 4:35 PM, SA Mitchell observed that a black Chevrolet Tahoe pulled up next to GUTIERREZ's van. Detective Mike Ramos drove by and confirmed the vehicle to be the same Tahoe that Arturo TEJEDA-Gomez used during the controlled purchase on November 5, 2020. Detective Ramos observed that two Hispanic males were inside the van together.

16. At approximately 4:52 PM, SA Mitchell observed the vehicles depart from each other.

17. At approximately 4:54 PM, TFO Thomas Orth observed that the black Tahoe had arrived and parked at Arturo TEJEDA-Gomez's residence. TFO Orth was able to identify Arturo TEJEDA-Gomez as he exited the Tahoe and stood under the porch light of the residence.

18. Based on my training and experience, I know that the weight of one fentanyl tablet is approximately 0.1 gram, and therefore the 1,032 tablets from November 19, 2020, have a weight of over 40 grams.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Jerel R. Deitering

Jerel R. Deitering
Special Agent
Drug Enforcement Administration

SWORN TO telephonically and subscribed electronically this 15th day of January, 2020.

M. K. Dimke

Honorable Mary K. Dimke
United States Magistrate Judge
